

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**CASEY MULLINS, et al.**

\*

**Plaintiffs**

\*

vs.

\* **Civil Action No.: 1-02-CV-1634**

**BALTIMORE CITY, MARYLAND, et al.**

\*

**Defendants**

\*

**RESPONSE TO DEFENDANT JAN ROLLON'S MOTION TO  
DISMISS/SUMMARY JUDGMENT**

*The Plaintiffs, Casey Mullins, et al., through counsel, H. Jeffrey Tabb, responds to the Motion to Dismiss/Summary Judgment as follows:*

1. *The Plaintiff has prima facie evidence that the Defendant Jan Rollon participated in the assault and battery on the Plaintiffs.*
2. *Therefore, there is a question of fact for the jury to determine and the Defendant's Motion should be denied.*
3. *The memorandum is attached hereto.*

*Wherefore, the Plaintiffs, Casey and Jeremy Mullins respectfully request that this Honorable Court deny the Defendant's Motion to Dismiss and/or Motion for Summary Judgment.*

*Respectfully submitted*

/s/ H. Jeffrey Tabb  
H. Jeffrey Tabb, Esquire  
8955-A Edmonston Road  
Greenbelt, Maryland 20770  
(301) 441-3636  
*Attorney for Plaintiffs*

**CERTIFICATE OF SERVICE**

*I hereby certify that on this 30th day of July, 2004, a copy of the foregoing **Response to Defendant Jan Rollon's Motion to Dismiss/Summary Judgment** was mailed postage prepaid, first-class to: Troy A. Priest, Esquire Brown, Diffenderffer & Kearney, LLP, Tide Building, Suite 300, 1010 Hull Street, Baltimore, Maryland 21230 and Neal M. Janey, Esquire, 10 North Calvert Street, Suite 722, Baltimore, Maryland 21202.*

/s/ H. Jeffrey Tabb  
H. Jeffrey Tabb

***IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND***

***CASEY MULLINS, et al.***

\*

***Plaintiffs***

\*

***vs.***

\* ***Civil Action No.: 1-02-CV-1634***

***BALTIMORE CITY, MARYLAND, et al.***

\*

***Defendants***

\*

**ORDER**

*Upon consideration of the Defendant Jan Rollon's Motion to Dismiss and Motion for Summary Judgment and the Plaintiff's opposition thereto, it is this \_\_\_\_\_ day of \_\_\_\_\_, 2004,*

*ORDERED, that the Defendant Jan Rollon's Motion to Dismiss and Motion for Summary Judgment is denied.*

---

*William D. Quarles, Jr.  
United States District Judge*

*cc: Troy A. Priest, Esquire  
Brown, Diffenderffer & Kearney, LLP  
Tide Building, Suite 300, 1010 Hull Street  
Baltimore, Maryland 21230*

*Neal M. Janey, Esquire  
10 North Calvert Street, Suite 722  
Baltimore, Maryland 21202*

*H. Jeffrey Tabb, Esquire  
8955-A Edmonston Road  
Greenbelt, Maryland 20770*